

**RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
ORGANIC REGULATIONS**

**REGULATIONS APPLICABLE TO ORGANIC:**

**TABLE OF CONTENTS**

- 40-7-17-.01 Adoption of Reference**
- 40-7-17-.02 Registration Standards**
- 40-7-17-.03 Registration Fees For Certifying Entities**

Under and by virtue of the power and authority vested in me as Commissioner of Agriculture, State of Georgia, by the constitution and the laws of this state, more particularly by (Code 1981, § 2-21-1, enacted by Ga. L. 2000, p. 1648, § 1. ) known as the “Georgia Organic Certification and Labeling Act.” I do hereby promulgate, prescribe and adopt the following rules and regulations governing the following. Definitions, Applicability, Organic Production and Handling Requirements, Labels ,Labeling, and Market Information, Certification, Accreditation of Certifying Agents, Administrative, State Organic Programs, Fees, Compliance, Inspection and Testing, Reporting, and Exclusion from Sale, Adverse Action Appeal Process, Miscellaneous, and Registration standards.

**40-7-17-.01 Adoption of Reference**

The following publication is adopted by reference: The United States Department of Agriculture, Agricultural Marketing Service, Part IV, 7 CFR Part 205 National Organic Program; Final Rule, and any subsequent amendments.

**40-7-17-.02 Registration Standards.**

**REGISTRATION**

**REGISTRATION REQUIREMENTS: PRODUCERS, LIVESTOCK PRODUCERS, HANDLERS, PROCESSORS, CERTIFICATION ORGANIZATIONS (of raw or processed agriculture commodities, meat, fowl, dairy products, fish, seafood, or other products).**

- (1) No person in this state without having first registered with the Commissioner of Agriculture, shall engage in the production, handling, processing, or certification of raw or processed agriculture commodities including meat,**

- fowl, dairy products, fish, seafood, or any other products to be sold as organic, excluding retailers of food sold as organic, provided however, that retail food sales establishments licensed under Article 2 of this chapter that do not process or repackage certified organic commodities shall be exempt. The registration shall thereafter be renewed annually unless no longer engaged in the activities requiring the registration. Each registrant shall provide a complete copy of its registration to the Commissioner of Agriculture. Registration shall begin on and after January 1, 2003. Registrations shall expire on the last day of December of the year for which they are issued.
- (2) Registration pursuant to this section shall be on a form provided by the department and shall be valid for the calendar year from the date of validation by the Commissioner of Agriculture. A registration number will be assigned to a valid registrant.
- (3) The information provided on the registration form shall include all of the following:
- (A) The name and address of the registrant.
  - (B) The nature of the registrant's business, including the categorical products produced, handled, or processed that are sold as organic, or certified as organic.
    - 1. (a) For processors, handlers, and distributors, quantities processed, handled, or distributed, and annual gross sales or revenue from processing/handling or distributing of organic foods or products.
      - (b) For processors and handlers a completed copy of an organic production or handling system plan that is agreed to by the producer or handler and an accredited certifying agent.
      - (c) A copy of the processor or handlers current organic certificate.
    - 2. (a) For producers and livestock producers quantities produced and annual gross sales or revenue from production of organic foods or products.
      - (b) For producers and livestock producers a completed copy of the organic production or handling system plan that is agreed to by the producer or handler and an accredited certifying agent.
      - (c) A copy of the producer or livestock producer's current organic certificate.
  - (C) For exempt producers,
    - 1. A map showing the precise location and dimensions of the facility or farm where the products are produced. The map shall also describe the boundaries of the production area and all adjacent land uses, shall assign field numbers to distinct fields or management units, and shall describe the size of each field or management unit.

**2. If the registrant has not had control of the property being registered for at least 36 months, then documentation from previous owners/managers that show the 36 month land use history. If the registrant is not the owner, then documentation from the owner granting permission for the parcel to be registered as organic by the registrant.**

- (D) In the case of exempt producers, for each field or management unit list of all substances applied to the crop, soil, growing medium, growing area, irrigation or post harvest wash or rinse water, or seed, including the source of the substance, the brand name, if any, the rate of application, and the total amount applied in each calendar year.**
- (E) The names of all certification organizations or governmental entities, if any, providing certification pursuant to the regulations promulgated by the National Organic Program (Section 6517 of the Federal Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501 et seq. )**
- (F) All certification organizations shall provide a copy of their USDA accreditation, or a letter to the Commissioner of Agriculture from the USDA stating the certifier is not required to be accredited.**
- (G) All certification organizations shall provide a list of all Georgia clients that the agency has granted certification.**
- (H) The Commissioner of Agriculture shall reject a registration submission that is incomplete or not in compliance with the Georgia Organic Certification and Labeling Act, or not in compliance with regulations promulgated by the National Organic Program ( Section 6517 of the Federal Organic Foods Production Act of 1990 (7U.S.C. Sec. 6501 et seq.).**
- (I) A registrant shall immediately notify the Commissioner of Agriculture of any change in the registration form.**
- (J) A registration is considered legal and valid until revoked, suspended or until the expiration of the registration.**
- (K) The Commissioner of Agriculture can initiate the revocation process of a registration for failure to comply with the Georgia Organic Certification and Labeling Act or any part of the regulations adopted pursuant to the Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501 et seq.). Any person against whom the action is being taken shall**

have the opportunity to appeal the action and be afforded the opportunity to be heard in an administrative appeal.

**40-7-17-.03 Registration Fees For Certifying Entities.**

A registration form shall be accompanied by a payment of a nonrefundable registration fee payable to the department by certification entities. The fee paid by certification entities shall be based on annual gross sales or annual revenue of organic product received by producers, processors, handlers, distributors, packers, or, repackers . The minimum fee paid by a certifying entity will be \$25 per annum depending on actual clients certified. The maximum fee paid by a certifying entity will not exceed \$500 per annum. The registration fee paid by the certifying entity is specific to Georgia certified clients. If no sales or revenue of organic product were made in the preceding year, then the fee shall be based on the expected sales or revenue of organic product during the 12 calendar months following the date of registration. Unless specified elsewhere, the fee is based according to the following schedule:

Gross Annual Sales or Revenue	Annual Registration Fee
\$0- \$10,000	\$25
\$10,001- \$ 50,000	\$50
\$50,001- \$125,000	\$75
\$125,001 - \$250,000	\$100
\$250,001 - \$500,000	\$125
\$500,001 - \$1,500,000	\$150
\$1,500,001-\$2,500,000	\$175
\$2,500,001 - and above	\$200